



0000065340

## BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER

Chairman

WILLIAM A. MUNDELL

Commissioner

MIKE GLEASON

Commissioner

KRISTIN K. MAYES

Commissioner

GARY PIERCE

Commissioner

Arizona Corporation Commission

DOCKETED

JAN 19 2007

DOCKETED BY

NR

IN THE MATTER OF THE COMMISSION }  
ON ITS OWN MOTION INVESTIGATING }  
THE FAILURE OF NUMEROUS }  
UTILITIES TO FILE ANNUAL REPORTS }  
FOR CALENDAR YEAR 2004 }

DOCKET NO. C-00000A-06-0798

DECISION NO. 69237

ORDER TO SHOW CAUSE

Open Meeting

January 16 and 17, 2007

Phoenix, Arizona

## BY THE COMMISSION:

The Arizona Corporation Commission ("Commission"), hereby issues this Order to Show Cause against the following respondents:

DOCKET NO	COMPANY NAME
T-04158A	BETTER WORLD TELECOM
T-03171A	CALTECH INTERNATIONAL TELECOM CORPORATION
T-04184A	CHRISTIAN MEDIA TECHNOLOGIES, INC.
T-03118A	COMDATA TELECOMMUNICATIONS SERVICES, INC.
T-04024A	DIMENSIONS (GLOBAL CREST)
T-03311A	DISCOUNT NETWORK SERVICES, INC.
T-03834A	D-TEL COMMUNICATIONS
T-04177A	FOX COMMUNICATION CORPORATION
T-04134A	GLOBAL COMMUNICATIONS CONSULTING CORP.
T-04016A	GLOBCOM, INC.
T-04212A	HARBOR COMMUNICATIONS, LLC
T-04160A	HELLO TELECOM
T-03927A	HOME PHONE, INC.
W-03745A	JAKE'S CORNER WATER SYSTEM
W-02651A	JUNIPER WELLS WATER COMPANY, INC.

1	W-01557A	LAKE VERDE WATER COMPANY
2	T-03996A	LUCAS TELECOMMUNICATIONS
3	T-04182A	MERCURY LONG DISTANCE, INC.
4	T-04181A	MIKO TELEPHONE COMMUNICATIONS, INC.
5	W-02164A	MORRISTOWN WATER COMPANY
6	T-04186A	MOTION TELECOM, INC.
7	W-02105A	MOUNT TIPTON WATER CO., INC.
8	W-04069A	OATMAN WATER COMPANY, L.L.C.
9	T-04041A	OPTICAL TELEPHONE CORPORATION
10	T-03126A	PHASE 2 TELESYSTEMS, INC.
11	T-03971A	PREMIERE NETWORK SERVICES, INC.
12	T-04153A	PRIMO COMMUNICATIONS, INC.
13	T-03844A	PROMISEVISION TECHNOLOGY, INC.
14	T-03127A	QUINTELCO, INC.
15	T-03855A	R.C.P. SERVICES
16	T-04142A	RADIANT TELECOM, INC.
17	T-04023A	RURAL WEST – WESTERN RURAL BROADBAND, INC.
18	E-03795A	SOUTHWEST ENERGY SOLUTIONS, INC.
19	T-03761A	TELIGENT SERVICES, INC.
20	T-03719A	THE FREE NETWORK, L.L.C.
21	W-02682A	TIERRA LINDA HOMEOWNERS ASSOCIATION
22	T-03232A	TRANSCOMMUNICATIONS, INC.
23	W-03230A	TWIN HAWKS UTILITY, INC.
24	T-03849A	UNITED COMMUNICATIONS HUB, INC.
25	T-03183A	URBAN TELECOMMUNICATIONS INC.
26	T-02722A	US WATS, INC.
27	T-03981A	ZEPHION NETWORKS COMMUNICATIONS, INC.

### FINDINGS OF FACT

The Commission, for its Complaint, and order to show cause alleges as follows:

1. The Commission is an agency of the State of Arizona, existing by virtue of Article 15 of the Arizona Constitution.
2. Respondents are public service corporations as defined by Article 15, Section 2 of the Arizona Constitution, and were issued Certificates of Convenience and Necessity in accordance with Arizona Revised Statutes Section 40-281.
3. As public service corporations, respondents are subject to the jurisdiction of the Commission with regard to the matters herein alleged.

5. Investigation by the Commission's Staff ("Staff") reveals and the Commission alleges that Respondents have violated Arizona Revised Statutes and Commission Rules. The Commission alleges the following in support of this claim:

- A. Pursuant to Arizona Revised Statutes Section 40-204 and Arizona Administrative Code R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F., all public service corporations in Arizona are required to file an annual report on or before April 15 of each year.
- B. Despite repeated attempts by the Staff to persuade Respondents to file such reports, Respondents have failed to do so and are thus in violation of Arizona Revised Statutes Section 40-204 and Arizona Administrative Code, R14-2-411.D.4, R14-2-510.G.4, R14-2-610.D.4., R14-2-907.A., R14-2-1011.A., and R14-2-1115.F.
- C. Pursuant to Arizona Revised Statutes Section 40-204, Respondents are in contempt of the Commission for their failure to comply with the aforementioned rules and requirements of the Commission.

6. The violations of Respondents to the aforementioned rules and requirements, as alleged herein, constitutes grounds to assess a civil penalty against Respondents pursuant to Arizona Revised Statutes Section 40-424 and 40-425, in an amount not less than \$100 nor more than \$5,000 for each violation, and/or revoke respondents certificate of convenience and necessity.

## CONCLUSIONS OF LAW

1. The Respondents are public service corporations within the meaning of Article XV of the Arizona Constitution and is subject to the jurisdiction of the Commission.
2. The Commission has jurisdiction over the subject matter of Staff's Complaint and Petition for Order to Show Cause.
3. Notice of this proceeding has been given in accordance with law.

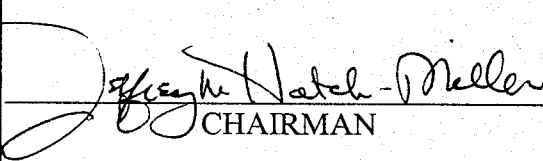
## ORDER

THEREFORE IT IS ORDERED that Respondents appear before the Arizona Corporation Commission at a time and place designated by the Commission's Hearing Division and show

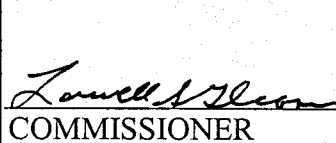
1 cause why the Commission should not find Respondents in violation and contempt of Arizona  
2 Laws and Commission rules, and show cause why the Commission should not assess against  
3 Respondents penalties as provided in Arizona Revised Statutes Sections 40-424 and 40-425,  
4 and/or cancel the respondents certificate of convenience and necessity.

5 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

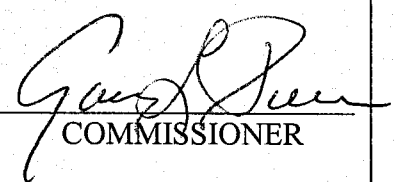
6  
7 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

8   
9 CHAIRMAN

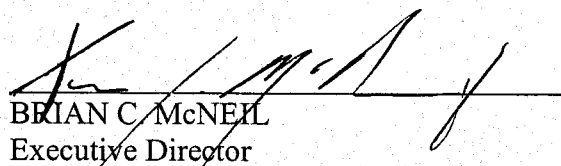
  
COMMISSIONER

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11   
12 COMMISSIONER

  
COMMISSIONER

  
COMMISSIONER

13  
14 IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive  
15 Director of the Arizona Corporation Commission, have  
16 hereunto, set my hand and caused the official seal of this  
17 Commission to be affixed at the Capitol, in the City of  
18 Phoenix, this 19<sup>th</sup> day of January, 2007.

19   
20 BRIAN C. McNEIL  
21 Executive Director

22 DISSENT: \_\_\_\_\_

23 DISSENT: \_\_\_\_\_

24 EGJ:KDB:lhml  
25  
26  
27  
28

1	DOCKET NO. C-00000A-06-0798	
2		
3	T-04158A	T-04016A
4	Better World Telecom	Globcom, Inc.
5	11951 Freedom Drive, 13th Floor	2100 Sanders Rd., Ste. 150
6	Reston, VA 20190	Northbrook, IL 60062
7		
8	T-03171A	T-04212A
9	Caltech International Telecom Corp.	Harbor Communications, LLC
10	P. O. Box 837	3211 SW Scholls Ferryct
11	San Ramon, CA 94583	Portland, OR 97221
12		
13	T-04184A	T-04160A
14	Christian Media Technologies, Inc.	Hello Telecom
15	8000 NE Parkway Dr., Suite 110	255 South Orem Boulevard
16	Vancouver, WA 98662	Orem, UT 84058
17		
18	T-03118A	T-03927A
19	Comdata Telecommunications Services, Inc.	Home Phone, Inc.
20	5301 Maryland Way	1095 Home Avenue
21	Brentwood, TN 37027	Akron, OH 44310
22		
23	T-04024A	W-03745A
24	Dimensions (Global Crest)	Jake's Corner Water System
25	12550 Biscayne Blvd	HC6 Box 1048 H
26	North Miami, FL 33181	Payson, AZ 85541
27		
28	T-03311A	W-02651A
29	Discount Network Services, Inc.	Juniper Wells Water Company, Inc.
30	23750 Elmira Ste 202	300 N. Lynx Creek Road
31	Redford, MI 48239	Prescott, AZ 86306
32		
33	T-03834A	W-01557A
34	D-Tel Communications	Lake Verde Water Company
35	12313 S. Wilmington Avenue	P.O. Box 2777
36	Compton, CA 90222	Camp Verde, AZ 86322
37		
38	T-04177A	T-03996A
39	Fox Communication Corporation	Lucas Telecommunications
40	2001 6th Ave, Ste 3302	P. O. Box 992
41	Seattle, WA 98121	Gilbert, AZ 85299
42		
43	T-04134A	T-04182A
44	Global Communications Consulting Corp.	Mercury Long Distance, Inc.
45	25 Kilmer Drive, Suite 217	2288 Gunbarrel Rd., Ste. 111-269
46	Morganville, NJ 07751	Chattanooga, TN 37421
47		

1 T-04181A  
Miko Telephone Communications, Inc.  
2 2100 SouthBridge Parkway, Suite 650  
3 Birmingham, AL 35209

4 W-02164A  
Morristown Water Company  
5 P.O. Box 156  
6 Morristown, AZ 85342

7 T-04186A  
Motion Telecom, Inc.  
8 7101 S. Fulton Street, Ste. 200  
9 Englewood, CO 80112

10 W-02105A  
Mount Tipton Water Co., Inc.  
11 P.O. Box 38  
12 Dolan Springs, AZ 86441

13 W-04069A  
Oatman Water Company, L.L.C.  
14 9184 N. 81st Street  
15 Scottsdale, AZ 85258

16 T-04041A  
Optical Telephone Corporation  
17 885 Woodstock Rd., Ste 430  
18 Roswell, GA 30075

19 T-03126A  
Phase 2 Telesystems, Inc.  
20 8901 E. Raintree #100  
21 Scottsdale, AZ 85260

22 T-03971A  
Premiere Network Services, Inc.  
23 1510 N. Hampton Road, Ste. 120  
24 Desoto, TX 75115

25 T-04153A  
Primo Communications, Inc.  
26 617 Birch Tree Court  
27 Rochester Hills, MI 48306  
28

T-03844A  
Promisevision Technology, Inc.  
3140 W. Britton Road, Ste. 200  
Oklahoma City, OK 73120

T-03127A  
Quintelco, Inc.  
1 Blue Hill Plaza  
PO Box 1665  
Pearl River, NY 10965

T-03855A  
R.C.P. Services  
Two Conway Park  
150 Field Dr Ste 300  
Lake Forest, IL 60045

T-04142A  
Radiant Telecom, Inc.  
1020 NW 163 Drive  
Miami, FL 33169

T-04023A  
Rural West - Western Rural Broadband, Inc.  
2312 104th Ave SE  
Bellevue, WA 98004

E-03795A  
Southwest Energy Solutions, Inc.  
1 S. Church, 18th FL.  
Tucson, AZ 85701

T-03761A  
Teligent Services, Inc.  
460 Herndon Parkway, Suite 100  
Herndon, VA 20170

T-03719A  
The Free Network, L.L.C.  
1607 E. Big Beaver Road, Ste. 201  
Troy, MI 48083

W-02682A  
Tierra Linda Homeowners Association  
14305 Blue Spruce Court  
Orland Park, IL 60462

1 T-03232A  
Transcommunications, Inc.  
2 6125 Preservation Drive  
3 Chattanooga, TN 37416

4 W-03230A  
Twin Hawks Utility, Inc.  
5 432 E. Speedway  
6 Tucson, AZ 85705

7 T-03849A  
United Communications Hub, Inc.  
8 10390 Commerce Center Drive, Suite 250  
9 Rancho Cucamonga, CA 91730

10 T-03183A  
Urban Telecommunications Inc.  
11 1220 W. Alameda, Ste. 126  
12 Tempe, AZ 85281

13 T-02722A  
US Wats, Inc.  
14 2 Greenwood Square  
15 3331 Street Rd Ste 275  
Bensalem, PA 19020

16 T-03981A  
Zephion Networks Communications, Inc.  
17 2950 Gallows Rd  
18 Falls Church, VA 22042

19 Mr. Ernest G. Johnson  
Director, Utilities Division  
20 Arizona Corporation Commission  
1200 West Washington  
21 Phoenix, Arizona 85007

22 Mr. Christopher C. Kempley  
23 Chief Counsel  
Arizona Corporation Commission  
24 1200 West Washington  
25 Phoenix, Arizona 85007

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